

CIVIL CASE NO. 3:07cv062

Defendant.

ORDER

On April 29, 2008, the Defendant CBS Broadcasting Inc. moved for the approval of a bond in the amount of \$800,000.00 and the issuance of an Order staying the Judgment in this case pending the Defendant's appeal to the Fourth Circuit Court of Appeals. [Doc. 43]. While not objecting to a stay, the Plaintiff requested that the amount of the proposed bond be increased to account for the prejudgment interest awarded by the

Court. [Plaintiff's Response, Doc. 41]. On May 6, 2008, the Court entered an Order [Doc. 42], finding the proposed supersedeas bond to be insufficient and denying the Defendant's motion without prejudice to refiling upon the posting of a proper and adequate bond.

The Defendant now renews its motion for a stay and for approval of a supersedeas bond. [Doc. 43]. In support of its motion, the Defendant proposes a supersedeas bond in the amount of \$912,000.00 – the amount which the Court found in its previous Order [Doc. 42] would sufficiently secure the entire amount of the Judgment, plus interest and costs, while the matter is on appeal. The Defendant also has provided documentation, as requested by the Court, evidencing that the bond's signatory has the power to execute such bond on behalf of the surety. [Doc. 44, Ex. B]. The Court finds that the proposed supersedeas bond posted by the Defendant has been properly executed and is adequate to satisfy the entire Judgment, plus interest and costs, while this matter is on appeal.

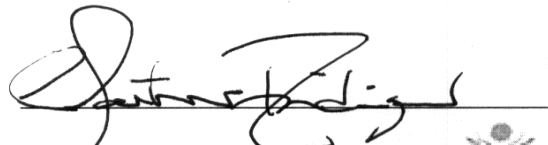
Accordingly, **IT IS, THEREFORE, ORDERED** that the Defendant's Renewed Motion for Stay of Judgment and Approval of Supersedeas Bond [Doc. 43] is **ALLOWED**. The Defendant shall post a supersedeas bond consistent in all respects with the one attached to its Memorandum

[Doc.44] along with all necessary attachments thereto, in the amount of at least Nine Hundred and Twelve Thousand Dollars (\$912,000.00) with the Clerk of the Court within twenty (20) days of the entry of this Order.

Pursuant to Fed. R. Civ. P. 62(d) and Fed. R. App. P. 8, the enforcement of the Judgment in this action will be stayed during the pendency of the present appeal upon the posting of such bond with this Court.

IT IS SO ORDERED.

Signed: May 22, 2008


Martin Reidinger
United States District Judge

